

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Hypertherm, Inc.

v.

Civil No. 05-cv-373-JD

American Torch Tip Company

O R D E R

A conference was held with counsel on this date to review scheduling matters.

The trial of this case is rescheduled to April 27, 2009. A jury will be selected on that date and evidence will begin immediately following jury selection. It is anticipated that the case may take five to seven days to try. While the date of the trial has been changed, all other deadlines remain in effect.

There are a number of motions in limine that are currently pending. The court intends to address these motions and issue orders within the next ten days to two weeks.

With respect to Hypertherm's Motion for Leave to Serve Updated Damages Calculations (document no. 403), counsel agreed that they will review this matter in an effort to resolve it and report back to the court by February 11, 2009.

Hypertherm's Motion to Exclude ATTC's Expert (document no. 401) is scheduled for hearing on February 24, 2009, at 9:30 a.m. The hearing is expected to take approximately three hours.

Counsel and the court discussed the court's proposed procedural order. Counsel informed the court how they intended

to proceed to comply with that order once it has been issued.

The court has on this date issued that order.

The final pretrial conference is scheduled for 10:30 a.m. on Friday, April 17, 2009.

A teleconference with the court is tentatively scheduled for Friday, April 3, 2009, at 10 a.m. to review, if necessary, the documents prepared pursuant to the procedural order issued on this date.

SO ORDERED.

  
Joseph A. DiClerico, Jr.  
United States District Judge

February 3, 2009

cc: Jill C. Anderson, Esquire  
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